

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

BASHAM, RINGE Y CORREA, S.C.

Plaintiff,

-against-

ARIZONA BEVERAGES USA LLC

Defendant.

Case No. 23-cv-8223 (NSR)

**CIVIL CASE DISCOVERY PLAN
AND SCHEDULING ORDER**

This Civil Case Discovery Plan and Scheduling Order is adopted, after consultation with counsel, pursuant to Fed. R. Civ. P. 16 and 26(f):

1. All Parties do not consent to conducting all further proceedings before a Magistrate Judge, including motions and trial, pursuant to 28 U.S.C. § 636(c).
2. This case is not to be tried to a jury.
3. Joinder of additional parties must be accomplished by January 3, 2025.
4. Amended pleadings may be filed until January 15, 2025.
5. Interrogatories shall be served no later than January 29, 2025, and responses thereto shall be served within thirty (30) days thereafter. The provisions of Local Civil Rule 33.3 shall apply to this case.
6. First request for production of documents to additional parties, if any, shall be served no later than January 29, 2025.
7. Any remaining Requests for Production shall be served no later than January 8, 2025.
8. Any further interrogatories shall be served no later than January 8, 2025.
9. Document productions shall be substantially completed by April 5, 2025.
10. Non-expert depositions shall be completed by May 21, 2025.
 - a. Depositions shall proceed concurrently.
 - b. Whenever possible, unless counsel agree otherwise or the Court so orders, non-party depositions shall follow party depositions.

11. Requests to Admit, if any, shall be served no later than April 3, 2025.
12. Expert reports shall be served by June 7, 2025.
13. Rebuttal expert reports shall be served no later than July 6, 2025.
14. Expert depositions shall be completed by August 16, 2025.
15. The Parties are to conduct discovery in accordance with the Federal Rules of Civil Procedure and the Local Rules of the Southern District of New York.
16. **ALL DISCOVERY SHALL BE COMPLETED BY August 27, 2025.**
17. Summary Judgment and *Daubert* motions are to be filed within 30 days of the close of all discovery. Absent good cause, the Court will not ordinarily have summary judgment practice in a non-jury case.
18. Any motions shall be filed in accordance with the Court's Individual Practices.
19. This Civil Case Discovery Plan and Scheduling Order may not be changed without leave of Court (or the assigned Magistrate Judge acting under a specific order of reference).
20. The Magistrate Judge assigned to this case is the Hon. Stewart D. Aaron.
21. If, after entry of this Order, the Parties consent to trial before a Magistrate Judge, the Magistrate Judge will schedule a date certain for trial and will, if necessary, amend this Order consistent therewith.
22. The next case management conference is scheduled for _____, at _____. (The Court will set this date at the initial conference.)

Dated: _____, 2024
White Plains, New York

SO ORDERED.

Nelson S. Román, U.S. District Judge